

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

DAVID LINDSEY,

Petitioner,

v.

CASE NO. 2:10-CV-14766  
HONORABLE ARTHUR J. TARNOW  
UNITED STATES DISTRICT JUDGE

WILLIE O. SMITH,  
Respondent.

\_\_\_\_\_/ JUDGMENT

The above entitled matter having come before the Court on a Petition for Writ of Habeas Corpus, Honorable Arthur J. Tarnow, a United States District Court Judge, presiding, and in accordance with the Memorandum Opinion and Order entered on July 26, 2011.

IT IS ORDERED that the Petition for Writ of Habeas Corpus is DISMISSED WITH PREJUDICE.

IT IS FURTHER ORDERED that a Certificate of Appealability is DENIED.

IT IS FURTHER ORDERED that Petitioner shall be granted leave to appeal *In Forma Pauperis*.

Dated at Detroit, Michigan, this 26th, day of July, 2011.

DAVID J. WEAVER  
CLERK OF THE COURT

APPROVED:

BY: s/Catherine A. Pickles  
DEPUTY CLERK

s/Arthur J. Tarnow  
HON. ARTHUR J. TARNOW  
SENIOR UNITED STATES DISTRICT JUDGE